

Wisner & Associates

#3

INTELLECTUAL PROPERTY LAW

MARK R. WISNER*

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File No. INGA,004/CIP

March 7, 2000

Box Missing Parts
Commissioner of Patents and Trademarks
Washington, DC 20231

Re: Application of: Charles A. Conrad
Serial No.: 09/397,782
Filed: September 16, 1999
For: **IN VIVO PRODUCTION OF ssDNA USING REVERSE
TRANSCRIPTASE WITH PREDEFINED REACTION
TERMINATION VIA STEM-LOOP FORMATION**

Dear Sir:

Enclosed for filing in connection with the captioned application is/are the following:

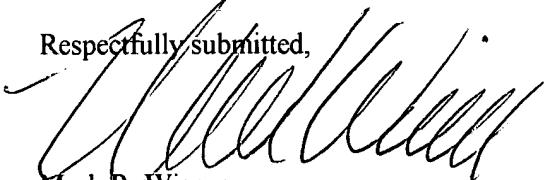
- Copy of Notice to File Missing Parts (dated October 7, 1999);
- Request for (Three Month) Extension of Time;
- Response to Notice to File Missing Parts;
- Declaration and Power of Attorney
(executed by the inventor, Charles A. Conrad);
- Verified Statement (Declaration) Claiming Small Entity Status
(37 C.F.R. §§ 1.9(f) and 1.27(b)) - Independent Inventor;
- Verified Statement (Declaration) Claiming Small Entity Status
(37 C.F.R. §§ 1.9(f) and 1.27(c)) – Small Business Concern
(executed by Charles A. Conrad as President of InGene, Inc.);
- Verified Statement (Declaration) Claiming Small Entity Status
(37 C.F.R. §§ 1.9(f) and 1.27(c)) – Small Business Concern
(executed by Malcolm H. Skolnick as President of Cytogenix, Inc.);
and
- Our firm's Check No. 1249 in the amount of \$500.00 (\$65.00 for the late filing of the Declaration (small entity) and \$435.00 for the (small entity) fee for a three month extension of time).

Wisner & Associates

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Commissioner of Patents and Trademarks
March 7, 2000
Page Two

The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Wisner & Associates, Account No. 50-0965 (INGA,004/CIP), if there are fees associated with this filing and/or if any required fees enclosed are insufficient, the check is unsigned, or if fees are inadvertently not enclosed. Please return the enclosed self-addressed, postage-prepaid postcard evidencing receipt of the above documents.

Respectfully submitted,



Mark R. Wisner
Attorney for Applicant
Registration No. 30,603

MRW/lm
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Charles A. Conrad

Serial No.: 09/397,782

Filed: September 16, 1999

For: **IN VIVO PRODUCTION
OF ssDNA USING REVERSE
TRANSCRIPTASE WITH
PREDEFINED REACTION
TERMINATION VIA
STEM-LOOP FORMATION**



Atty. Docket No.: INGA,004/CIP

Examiner: Unknown

Group Art Unit: 1614

ATTENTION: BOX MISSING PARTS
COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231.

March 7, 2000

Mark R. Wisner, Registration No. 30,603

Date

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicant responds to the Notice of Missing Parts (Form PTO-1533) mailed in the captioned application on October 7, 1999 as follows. A request for a three month extension of the time to respond to that Notice, and a check for the applicable fee, is enclosed. The enclosed check also includes the fee required for late filing of the missing parts (37 C.F.R. 1.16(e)). Please note that the check that is enclosed is made out in the amounts for filing these documents as a small entity and that, as set out below, documents establishing small entity status are enclosed. In the event the check in the amount of any necessary fees was not properly executed, was not included with this Response and/or was insufficient in amount, or if for any other reason this Response is not considered timely filed, request is hereby made for an extension of the time for the period necessary to ensure consideration of this Response and the Commissioner is authorized to charge Deposit Account No. 50-0965 (INGA,004/CIP) in the amount of any necessary fee.

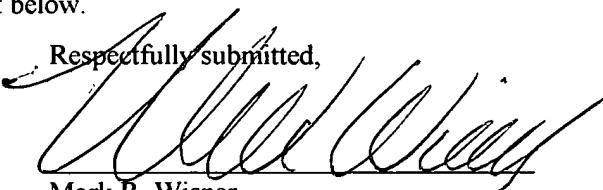
Enclosed for filing in the captioned application is/are the following document(s):

- Declaration signed by inventor(s);
- Verified Statement of Small Entity Status (Independent Inventor) of Charles A. Conrad;
- Verified Statement of Small Entity Status (Small Business Concern) of Ingene, Inc.; and

Verified Statement of Small Entity Status (Small Business Concern) of
Cytogenix, Inc.

In the event there are questions, please contact the undersigned attorney for Applicant(s) at the address and telephone number set out below.

Respectfully submitted,



Mark R. Wisner
Registration No. 30,603
Wisner & Associates
2925 Briarpark, Suite 930
Houston, TX 77042
(713) 785-0555
Fax: (713) 785-0561

ATTORNEY FOR APPLICANT

Date: March 7, 2000



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO/TITLE

09/397,782 09/16/99 CONRAD

INGA. 004/CIP

0212/1007

NOT ASSIGNED

MARK R WISNER
WISNER & ASSOCIATES
2925 BRIARPARK
SUITE 930
HOUSTON TX 77042

1614
DATE MAILED:

10/07/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1:136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 130.00.

1. The statutory basic filing fee is:

missing.

insufficient.

Applicant must submit \$ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ for total claims over 20.

\$ for independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k); unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

(Signature)
Customer Service Center
Initial Patent Examination Division (703) 308-1202